

### **REMARKS**

No amendment is currently being made to the application. Applicant respectfully requests that the Examiner reconsider the final rejections in the final Office Action in light of the Amendment filed August 8, 2003 and the remarks presented below.

#### ***Claims***

Claims 1-3, 7-9, 15, and 18-22 remain in the application with claims 1 and 20 being independent. Claims 4-6, 10-14, and 16-17 have been canceled.

#### ***Allowed Claims***

Applicant respectfully acknowledges and accepts the allowance of claims 20-22.

#### ***Claim Rejections***

Claims 1-3, 9, 15, and 18-19 stand rejected under 35 U.S.C. §102(b) as being anticipated by Higbee (U.S. Patent No. 1,809,699). Dependent claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Higbee in view of Kallenberger (U.S. Pat. No. 5,290,069). Dependent claim 8 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Higbee and Kallenberger in view of El-Kassouf (U.S. Pat. No. 5,971,413).

Applicant submits that the Examiner has misinterpreted Higbee and respectfully requests reconsideration of the final rejection. In the Examiner's remarks on page 6 of the final office action, the Examiner addresses Applicant's previous amendment to claim 1. The amendment to claim 1 requires axially and radial engagement of the bushing with the first and second wheel hubs to support axial and radial loads between the wheel hubs. The Examiner indicates that steel sleeve elements 20, 24 of Higbee also axially and radially engage first 18 and second 22 wheel hubs to support axial and radial loads between the wheel hubs 18, 22. The Examiner suggests that "the annular gland packing 30 does not prevent shifting of the wheel assembly toward the second wheel hub during operation of the wheel." (Final Office Action, Paper No. 7, page 6). Thus, in the Examiner's interpretation of Higbee, as the first wheel hub 18 shifts toward the second wheel hub 22, the sleeve

elements 20, 24 will axially engage the first 18 and second 22 wheel hubs and support axial loads therebetween.

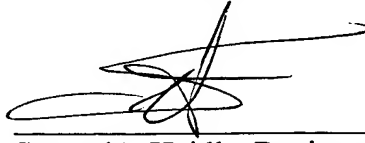
This interpretation of Higbee is incorrect. The first 18 and second 22 wheel hubs of Higbee **cannot** shift toward one another. Attached is a color-coded Figure 1 from Higbee to illustrate the components in this patent. A thrust bearing assembly (red) and an annular spacer thrust plate (blue) prevent relative movement between the first wheel hub (brown) and the second wheel hub (yellow). In other words, the thrust bearing assembly (red) and annular spacer thrust plate (blue) **prevent** the wheel hubs (brown, yellow) from shifting toward one another. Higbee states that “[the] thrust bearing assembly 32...together with [the] annular spacer thrust plate 34, absorbs the end thrust from either of the two hub units.” (column 2, lines 21-25). The end thrust equates to the claimed axial loads of claim 1. Further, annular gaps  $G_1$  and  $G_2$  permanently provide space between the first wheel hub (brown) and the second wheel hub (yellow). The annular gap  $G_2$  happens to be filled with gland packing 30, but this does not change the analysis (the gland packing 30 simply operates as a seal). These gaps  $G_1$  and  $G_2$  are intentionally provided to ensure that the first wheel hub (brown) rotates freely relative to the second wheel hub (yellow). The annular gaps  $G_1$  and  $G_2$  also prevent the sleeve elements (green) from being axially compressed between the wheel hubs (brown, yellow). Thus, the sleeve elements (green) of Higbee do **NOT axially and radially engage each of the first (brown) and second (yellow) wheel hubs to support axial and radial loads between the wheel hubs (brown, yellow)**, as required by claim 1. Instead, the thrust bearing assembly (red) and the annular spacer thrust plate (blue) perform this function. Under a proper interpretation of Higbee, Applicant respectfully submits that claim 1 is in condition for allowance.

Applicant respectfully submits that dependent claims 2-3, 7-9, 15, and 18-19 are also placed in condition for allowance based on their dependency to claim 1 and the failure of the references to suggest claim 1.

Applicant believes the application is now in condition for allowance, which allowance is respectfully solicited. Applicant believes that no additional fees are required, however, the Commissioner is authorized to charge our Deposit Account No. 08-2789 for any additional fees or credit the account for any overpayment.

**Respectfully submitted,**

**HOWARD & HOWARD ATTORNEYS, P.C.**

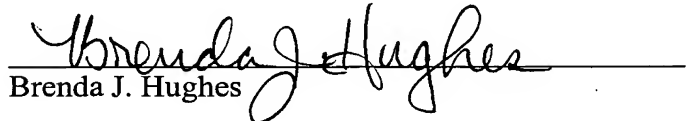


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Date

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**CERTIFICATE OF MAILING**

I hereby certify that this **Request for Reconsideration** is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the **MAILSTOP AF**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 29, 2003.



Brenda J. Hughes